

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

**PRESS AND JOURNAL, INC.,** : **CIVIL ACTION NO. 1:18-CV-2064**

Plaintiff : **(Chief Judge Conner)**

v. :

**BOROUGH OF MIDDLETOWN,** :

Defendant :

**ORDER**

AND NOW, this 13th day of December, 2018, upon consideration of the motion (Doc. 12) to dismiss pursuant to Federal Rule of Civil Procedure 12(b) filed by defendant Borough of Middletown (the “Borough”), and for the reasons stated in the accompanying memorandum, it is hereby ORDERED that:

1. The Borough’s motion (Doc. 12) to dismiss is DENIED insofar as it is grounded in Federal Rule of Civil Procedure 12(b)(6).
2. The Borough shall file its brief in opposition to plaintiff’s motion (Doc. 5) for a preliminary injunction on or before **Friday, December 21, 2018**. Plaintiff may file a reply within fourteen (14) days of the date on which the Borough serves its brief in opposition. See LOCAL RULE 7.7.
3. As previously ordered, (see Doc. 23 ¶ 3), the parties shall meet and confer and provide proposed preliminary injunction hearing dates to the court as soon as practicable.

/S/ CHRISTOPHER C. CONNER

Christopher C. Conner, Chief Judge  
United States District Court  
Middle District of Pennsylvania